



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/886,895	06/21/2001	Carl N. Baron	NOR/1006	6116

37172 7590 12/18/2006
WOOD, HERRON & EVANS, LLP (NORDSON)
2700 CAREW TOWER
441 VINE STREET
CINCINNATI, OH 45202

EXAMINER

OSMAN, RAMY M

ART UNIT	PAPER NUMBER
----------	--------------

2157

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/18/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/886,895

Applicant(s)

BARON, CARL N.

Examiner

Ramy M. Osman

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. This communication is in response to amendment filed September 26, 2006. No claims were amended. Claims 1-3 and 5-7 are pending.

Response to Arguments

2. Applicant's arguments filed 9/26/2006, with respect to the rejection of claims 1-3 and 5-7 under 103 (a) have been fully considered and are not persuasive.
3. Regarding the 112 second paragraph rejections of claims 1 and 5, applicant argues that it is clear in applicants disclosure that the controller is "not the same hardware as – host PC (13) and web server (20) and is coupled thereto through an RS232 connection" and therefore satisfies the claim limitation of: "independent of".

In reply, applicants claim language states: "the controller being operatively coupled to and independent of the web server". Thus if the controller is coupled to the server, then that means that the controller must inherently depend on the server for something (i.e. "control selected functions of the controller"). Therefore it cannot be said that the controller is independent of the server.

4. Applicant argues that the "gateway" of Shannon et al. is different from applicants "web server" and therefore fails to teach applicants invention.

In reply, the gateway of Shannon performs the same functionality as applicants web server. Particularly Shannon discloses identifying a network address of a user accessing web content via the network and restricting access of that user to selected web content based upon the

Art Unit: 2157

identified address of the user (see Shannon column 7 line 10 – column 8 line 12). This is exactly what applicants claim language states. Furthermore, applicants web server acts as a gateway to the controller and therefore shows even more that applicants web server and the gateway of Shannon are similar.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1 and 5 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. On line 5 of claim 1 applicant states: “the controller being operatively coupled to and independent of the web server”. However, when two things are “operatively coupled” to each other, then they inherently have some sort of dependency upon each other. Therefore this is a contradictory limitation.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. **Claims 1-3 and 5-7 rejected under 35 U.S.C. 103(a) as being unpatentable over Papadopoulos et al (US Patent No 6,282,454) in view of Shannon et al (US Patent No 6,233,618).**

9. In reference to claims 1 and 5, Papadopoulos in view of Shannon teaches a method of regulating network access to selected functions of a controller of a machine, comprising:

Coupling a controller of a machine to a network having a web server configured to publish a plurality of web screens configured to control the selected functions of the controller, the controller being operatively coupled to and independent of the web server (Abstract, column 2 lines 33-60, column 3 line 47 – column 4 line 6 and column 4 lines 20-45);

Publishing web screens on the network via the web server for receipt by at least one remote computer coupled to the web server via the network (column 2 lines 33-60, column 3 line 47 – column 4 line 6 and column 4 lines 20-45);

Although Papadopoulos teaches secure user access and authorizing user access at the web server (column 4 lines 12-20 and column 9 lines 55-65), he fails to explicitly teach the limitations of identifying at the web server a network address of a user accessing the web server via the network; and restricting access of the user to selected published web screens of the plurality of web screens published by the web server based upon the identified address of the

Art Unit: 2157

user. However Shannon teaches a network-based access control method that restricts specific users of accessing the a computer system. Shannon discloses identifying a network address of a user accessing the web server via the network (column 7 lines 10-40); and restricting access of the user to selected published web screens of the plurality of web screens published by the web server based upon the identified address of the user (column 7 line 25 – column 8 line 12).

It would have been obvious for one of ordinary skill in the art to modify Papadopoulos by identifying a network address of a user accessing the web server via the network; and restricting access of the user to selected published web screens of the plurality of web screens published by the web server based upon the identified address of the user as per the teachings of Shannon for the purpose of an access control method that restricts specific users of accessing the a computer system.

10. In reference to claims 2 and 6, Papadopoulos in view of Shannon teaches the method according to claim 1, wherein a user accessing the web server via the at least one remote computer is restricted in access to a subset of the plurality of published web screens (Shannon: column 3 line 35 – column 4 line 25 and column 7 line 10 – column 8 line 12).

11. In reference to claims 3 and 7, Papadopoulos in view of Shannon teaches the method according to claim 1, wherein a user accessing the web server via the web server is unrestricted in access to the plurality of published web screens (column 3 line 35 – column 4 line 25 and column 7 line 10 – column 8 line 12).

Conclusion

12. Applicant is advised that the above specified citations of the relied upon prior art are only representative of the teachings of the prior art, and that any other supportive sections within the

Art Unit: 2157

entirety of the reference (including any figures, incorporation by references, and claims) is implied as being applied to teach the scope of the claims.

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M. Osman whose telephone number is (571) 272-4008. The examiner can normally be reached on M-F 9-5.

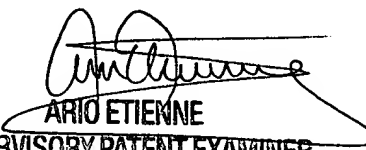
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2157

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RMO

December 10, 2006


ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100